

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JOHN A. DESIENO, JR.,

Plaintiff,

-against-

02-CV-0148

CRANE MANUFACTURING &  
SERVICE CORP., TELEMOTIVE  
INDUSTRIAL CONTROLS, MORGAN  
CRANE, THE MORGAN MANUFACTURING  
CO., ALLIANCE, MILWAUKEE CRANE,  
WHITING and SHEPARD NILES,

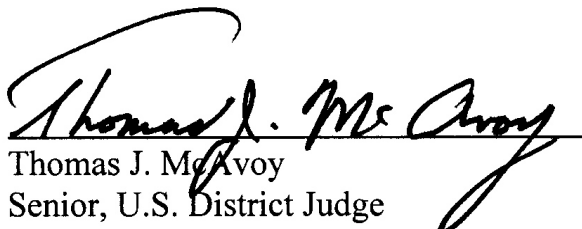
Defendants.  
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THOMAS J. McAVOY  
Senior United States District Judge

**ORDER**

Upon consideration of the papers submitted in support of and in opposition to the DeLorenzo Law Firm's motion to enforce a charging lien and for the reasons stated in open court on Monday, December 12, 2005, the DeLorenzo Law Firm's motion is DENIED. To the extent the DeLorenzo Law Firm seeks attorneys' fees, the motion is DENIED WITH PREJUDICE. To the extent the DeLorenzo Law Firm seeks to recover disbursements, that motion is DENIED WITH LEAVE TO RENEW UPON THE CONCLUSION OF THE UNDERLYING LITIGATION. If the motion is renewed at that time, the parties shall brief the issue of whether a breach of a retainer agreement waives the right to recover disbursements.

Dated: December 14, 2005

  
Thomas J. McAvoy  
Senior, U.S. District Judge